

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1994

DATE: December 23, 2002

SCHEDULED PLANNING COMMISSION MEETING: January 8, 2002

PROPOSAL: Expand a nonstandard use into a required yard.

LAND AREA: Approximately 2,500 square feet.

CONCLUSION: The proposed expansion is compatible with surrounding uses, and will not negatively affect adjacent properties or the neighborhood.

RECOMMENDATION:

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: The north 50' of Lot 1, Block 2, Sawyers Addition, Lincoln, Lancaster County, Nebraska.

LOCATION: 727 South 18th Street

APPLICANT/

OWNER: Barbara Baier
727 South 18th Street
Lincoln, NE 68508
(402) 441-8272

CONTACT: Lin Quenzer
727 South 18th Street
Lincoln, NE 68508
(402) 441-8281

EXISTING ZONING: R-7 Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-7
South:	Residential	R-7
East:	Residential	R-6
West:	Residential	R-7

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F18 - Residential Neighborhoods - Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

Page F68 - Guiding Principles for Existing Neighborhoods - Promote the continued use of single-family dwellings and all types of buildings, to preserve the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.

Page F71 - Strategies for New and Existing Urban Neighborhoods - For existing neighborhoods, the diversity is often already in place, but efforts must focus on maintaining this balance and variety. Single family homes, in particular, add opportunities for owner-occupants in older neighborhoods and should be preserved. The rich stock of existing, smaller homes found throughout established areas, provide an essential opportunity for many first-time home buyers.

Page F73 - Strategies for Existing Residential Areas - In existing neighborhoods adjacent to the Downtown, retain existing predominately single family blocks in order to maintain the mix of housing types. The current mix within each neighborhood provides ample housing choices. These existing neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities. Codes and regulations which encourage changes in the current balance of housing types, should be revised to retain the existing character of the neighborhoods and to encourage maintenance of established older neighborhoods, not their extensive conversion to more intensive uses.

HISTORY: The zoning on this property was changed from E (Multiple Dwelling) to R-7 Residential with the 1979 update of the Zoning Ordinance.

ANALYSIS:

1. This property is located in the R-7 district, where the required rear setback is 10'. The residence is currently two feet from the rear property line, and as a result it is considered a nonstandard use (per Lincoln Municipal Code 27.03.460).
2. An expansion of a nonstandard dwelling into a required yard is allowed by special permit under LMC 27.63.540

3. There is an enclosed porch attached to the rear of the residence, approximately 6' x 10'. The owner wants to remove it and replace it with a 5' x 20' addition that extends almost the length of the residence. While twice as long, the addition is actually one foot narrower, thereby increasing the setback from the rear property line from the current 2', to 3'.
4. Adjacent land uses include an apartment building separated by an alley to the north, and apartment buildings to the south and west. The parking lot for the apartment building to the south is immediately adjacent to the residence's south and west property lines. The proposed expansion will have no significant impact on the surrounding uses, and is not detrimental to the neighborhood nor to public health, safety and welfare.

CONDITIONS:

Site Specific:

1. This approval permits the expansion of a nonstandard use consistent with the site plan submitted.

General:

2. Before receiving building permits:
 - 2.1 The construction plans comply with the approved plans.

Standard:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying this residence all development and construction is to comply with the approved plans.
 - 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

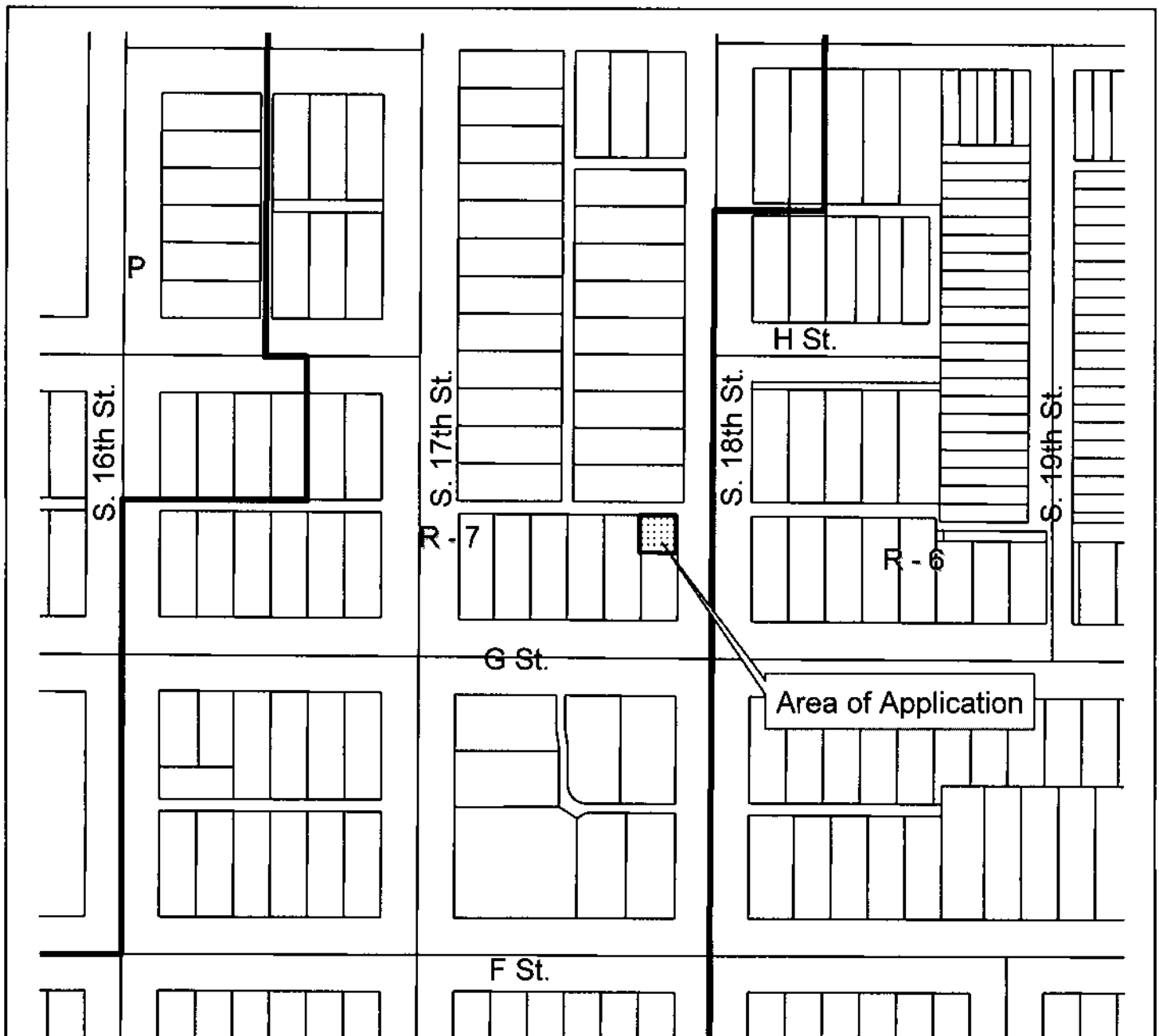
Brian Will, AICP
Planner
18.bjw.wpd

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Special Permit #1994
S. 18th & G St.





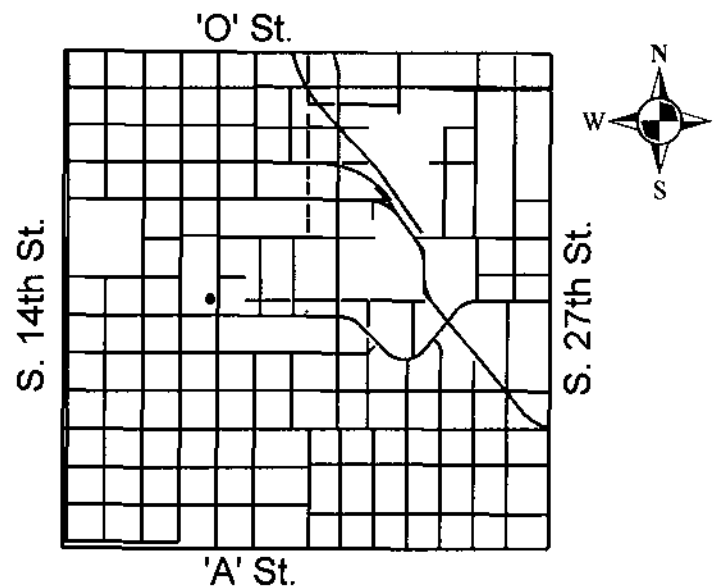
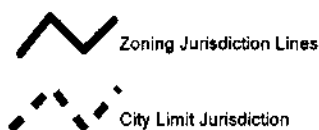
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S. 18th & G St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 25 T10N R6I



CONCRETE ALLEY



October 21, 2002

Barbara A. Baier
727 South 18th Street
Lincoln, NE 68508
Phone: 441-8272 (Work)
475-7291 (Home)

Marvin Krout
City of Lincoln
Planning Department/Planning Commission
555 South 10th Street
Lincoln, NE 68508

Dear Mr. Krout:

This letter explains my proposal to remove the existing back porch of my home due to deterioration. The area will be reconstructed to match the footprint of the existing front porch in length, but not in width. I have owned my home for nine years. It serves as the home for my son, myself and a friend. Enclosed are the required application forms, sketch of the planned tear off and reconstruction, and a copy of the deed. If additional information is needed, please contact Lin Quenzer, who is assisting me with this project. Lin can be reached at 441-8281.

Sincerely,

Barbara A. Baier

Barbara A. Baier

